

1. The action is dismissed in part as inadmissible in so far as it was brought by Mingardi Srl and Marsilio Editori SpA.
  2. Mingardi Srl and Marsilio Editori SpA shall bear their own costs.
  3. The Commission shall bear the costs it has incurred to date in connection with the action in so far as it was brought by Mingardi Srl and Marsilio Editori SpA.
  4. The Italian Republic shall bear the costs it has incurred in connection with the action in so far as it was brought by Mingardi Srl and Marsilio Editori SpA.
  5. The remainder of the costs are reserved.
2. Gardena Hotels Srl shall bear its own costs.
  3. The Comitato Venezia Vuole Vivere shall bear its own costs and the Commission's costs incurred to date in connection with the action in so far as it was brought by the Comitato Venezia Vuole Vivere.
  4. The Commission shall bear the costs it has incurred to date in connection with the action in so far as it was brought by Gardena Hotels Srl.
  5. The remainder of the costs are reserved.

(<sup>(1)</sup>) OJ C 355 of 9.12.2000.

(<sup>(1)</sup>) OJ C 372 of 23.12.2000.

#### ORDER OF THE COURT OF FIRST INSTANCE

of 10 March 2005

in Case T-288/00 Gardena Hotels Srl and Others v  
Commission of the European Communities (<sup>(1)</sup>)

*(State aid — Commission decision declaring incompatible with the common market unlawful aid schemes and requiring repayment of incompatible aid — National procedure for repayment precluded — Action for annulment — No legal interest in bringing proceedings — Inadmissibility)*

(2005/C 155/39)

(Language of the case: Italian)

In Case T-288/00: Gardena Hotels Srl, Principessa Srl and Comitato Venezia Vuole Vivere, established in Venice (Italy), represented by A. Bianchini, lawyer, with an address for service in Luxembourg, against Commission of the European Communities (Agent: V. Di Bucci and A. Dal Ferro, lawyer, with an address for service in Luxembourg) — action for annulment of Commission Decision 2000/394/EC of 25 November 1999 on aid to firms in Venice and Chioggia by way of relief from social security contributions under Laws Nos 30/1997 and 206/1995 (OJ 2000 L 150, p. 50) — the Court of First Instance (Second Chamber, Extended Composition), composed of J. Pirrung, President, A.W.H. Meij, N.J. Forwood, I. Pelikánová, S. Papa-savvas, Judges; H. Jung, Registrar, made an order on 10 March 2005, the operative part of which is as follows:

1. The action is dismissed in part as inadmissible in so far as it was brought by Gardena Hotels Srl and the Comitato Venezia Vuole Vivere .

#### ORDER OF THE COURT OF FIRST INSTANCE

of 10 March 2005

in Case T-184/01 IMS Health, Inc. v Commission of the  
European Communities (<sup>(1)</sup>)

*(Action for annulment — Suspension of application then withdrawal of the contested decision in the course of the proceedings — No need to give a decision)*

(2005/C 155/40)

(Language of the case: English)

In Case T-184/01: IMS Health, Inc., established in Fairfield, Connecticut (United States), represented by N. Levy, J. Temple-Lang, Solicitors, and R. O'Donoghue, Barrister, against the Commission of the European Communities (Agents: initially by A. Whelan, É. Gippini Fournier and F. Siredey-Garnier, and subsequently by A. Whelan, acting as Agents, with an address for service in Luxembourg, supported by **NDC Health Corp.**, formerly National Data Corp., established in Atlanta, Georgia (United States), (represented initially by I. Forrester QC, F. Fine, Solicitor, C. Price and A. Gagliardi, lawyers, and subsequently by C. Price, J. Bourgeois, lawyers, and F. Fine, and lastly by F. Fine), and **NDC Health GmbH & Co. KG**, established in Bad Camberg (Germany), (represented initially by I. Forrester QC, F. Fine and M. Powell, Solicitors, C. Price and A. Gagliardi, lawyers, and subsequently by F. Fine, C. Price and J. Bourgeois, lawyers, and lastly by F. Fine), and by **AzyX Deutschland GmbH Geopharma Information Services**, established in